

1 Chief Judge Ricardo S. Martinez  
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10 UNITED STATES DISTRICT COURT FOR THE  
11 WESTERN DISTRICT OF WASHINGTON  
12 AT SEATTLE  
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15 UNITED STATES OF AMERICA,  
16 Plaintiff,  
17

18 v.  
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20 DENYS IARMAK  
21 Defendant.  
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23 No. CR19-257-RSM  
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25 **COMBINED MOTION FOR  
26 ENTRY OF A PRELIMINARY  
27 ORDER OF FORFEITURE AND  
28 ORDER OF FORFEITURE**

29 NOTE ON MOTION CALENDAR:  
30 April 1, 2022  
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32 **I. MOTIONS**  
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34 The United States, by and through its undersigned counsel, moves pursuant to  
35 Federal Rule of Criminal Procedure (“Fed. R. Crim. P.”) 32.2(b) for entry of:

36 1. A Preliminary Order of Forfeiture, forfeiting proceeds of, and property that  
37 facilitated, the Conspiracy to Commit Computer Hacking, as charged in Count 16, in  
38 violation of 18 U.S.C. § 371, pursuant to 18 U.S.C. § 982(a)(2)(B) and 1030(i); and

39 2. An Order of Forfeiture, forfeiting a sum of money in the amount of  
40 \$100,000 representing proceeds the Defendant personally obtained as a result of the  
41 Conspiracy to Commit Wire Fraud, as charged in Count 1, in violation of 18 U.S.C.  
42 § 1349, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).  
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1 | **A. Motion for a Preliminary Order of Forfeiture**

2 | The United States moves for a Preliminary Order forfeiting, to the United States,  
3 | Defendant Denys Iarmak's interest in the following property ("Subject Property"):

- 4 | 1. One (1) laptop identified as FBI evidence item 1B222;
- 5 | 2. One (1) silver Dell XPS laptop, bearing no. 2RR74H2, with charger,  
6 | identified as FBI evidence item 1B208;
- 7 | 3. One (1) black Xiaomi A1 cell phone, with a note labeled "password:  
8 | 19871988", identified as FBI evidence item 1B207;
- 9 | 4. Two (2) Sandisk Micro Chip 16 GIGABYTE Motorola MicroSD cards,  
10 | identified as FBI evidence item 1B206;
- 11 | 5. One (1) Sandisk 32 GIGABYTE thumbdrive, identified as FBI evidence  
12 | item 1B205;
- 13 | 6. One (1) black Xiaomi A2 cell phone, with a note labeled "password:  
14 | 007700", identified as FBI evidence item 1B204;
- 15 | 7. One (1) Sandisk Cruzer Blade 64 GIGABYTE thumbdrive, identified as  
16 | FBI evidence item 1B203; and
- 17 | 8. One (1) phone/laptop charging cord, identified as FBI evidence item  
18 | 1B202.

19 | **B. Motion for an Order of Forfeiture**

20 | The United States moves for an Order of Forfeiture, forfeiting, to the United  
21 | States, Defendant Denys Iarmak's interest in the following property:

- 22 | • A sum of money in the amount of \$100,000 representing, in part, the  
23 | proceeds the Defendant obtained as a result of Conspiracy to Commit Wire  
24 | Fraud, in violation of 18 U.S.C. § 1349.

25 | The Defendant has acknowledged this sum of money is separate and distinct from  
26 | the restitution that is ordered in this case.

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## II. LEGAL AND FACTUAL BASIS FOR MOTIONS

These motions are based on the following procedural facts, which are reflected in the pleadings filed and docket entries made in this matter.

4 On November 22, 2021, the Defendant entered pleas of guilty to Conspiracy to  
5 Commit Wire Fraud, as charged in Count 1 of the Indictment, in violation of 18 U.S.C.  
6 § 1349, and to Conspiracy to Commit Computer Hacking, as charged in Count 16, in  
7 violation of 18 U.S.C. § 371. Dkt. No. 42. The Defendant agreed in his Plea Agreement  
8 to forfeit his interest in the Subject Property identified as items 1-8, above, pursuant to  
9 18 U.S.C. §§ 982(a)(2)(B) and 1030(i), each of which constitutes or is derived from  
10 proceeds of, and/or facilitated his commission of the Conspiracy to Commit Computer  
11 Hacking, as charged in Count 16. *Id.*, ¶ 9. In his Plea Agreement, the Defendant  
12 additionally agreed to forfeit the above-identified sum of money in the amount of  
13 \$100,000 representing proceeds he personally obtained from his commission of  
14 Conspiracy to Commit Wire Fraud, as charged in Count 1, pursuant to 18 U.S.C.  
15 § 981(a)(1)(C) and 28 U.S.C. § 2461(c). *Id.*

16 To comply with the timing requirements of Fed. R. Crim. P. 32.2(b)(2)(B), the  
17 United States now moves for entry of a Preliminary Order of Forfeiture, forfeiting  
18 Defendant's interest in Subject Property, and an Order of Forfeiture, forfeiting the

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1 Defendant's interest in the sum of money in the amount of \$100,000 representing  
2 proceeds. A proposed Preliminary Order of Forfeiture and a proposed Order of  
3 Forfeiture are submitted with this motion.

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5 DATED this 21st day of March, 2022.

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7 Respectfully submitted,  
8 NICHOLAS K. BROWN  
9 United States Attorney

10

s/ Krista K. Bush

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 21, 2022, I electronically filed the foregoing Combined Motion with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the parties of record.

s/ Donna R. Taylor  
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